

## REMARKS

Claim 6 has been amended. Claims 1-5, 7-10 and 12-16 have been cancelled. Claims 6 and 17 remain for further consideration. No new matter has been added.

The objections and rejections shall be taken up in the order presented in the Official Action.

**3-4.** Claims 1-5, 7-10 and 12-16 currently stand rejected for allegedly being obvious in view of U.S. Patent 5,867,484 to Shaunfield (hereinafter “Shaunfield”), U.S. Patent 6,035,439 to Ha (hereinafter “Ha”) and U.S. Patent 6,310,848 to Ueki (hereinafter “Ueki”).

Claims 1-5, 7-10 and 12-16 have been cancelled.

**5.** Claim 6 currently stands rejected for allegedly being obvious in view of Shaunfield, Ha, Ueki, and U.S. Patent 5,940,398 to Stiegler (hereinafter “Stiegler”).

It is respectfully submitted that Stiegler does not qualify as prior art under 35 U.S.C. §102. Stiegler was published as a patent on August 17, 1999. In contrast, the present application claims priority to the PCT Application No. PCT/EP00/01375, which has a claimed priority date of May 10, 1999 and an international filing date of February 19, 2000. The May 10, 1999 foreign priority date of record for the present application is earlier than the August 17, 1999 patent publication date of Stiegler.

**Stiegler and the present application, at the time of the claimed invention, were owned by the same entity or subject to an obligation of assignment to the same entity. So the Stiegler is not available as prior art under 35 U.S.C. §102(e) per 35 U.S.C. §103(c).**

Withdrawal of this improper obviousness rejection is respectfully requested.

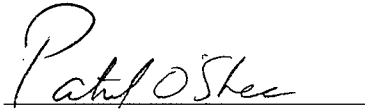
6. Claim 17 currently stands rejected for allegedly being obvious in view of U.S. Published Application 2002/0038374 to Gupta (hereinafter "Gupta") and Stiegler.

As set forth above Stiegler is not prior art to the claimed invention. Accordingly, withdrawal of this improper obviousness rejection is respectfully requested.

For all the foregoing reasons, reconsideration and allowance of claims 6 and 17 is respectfully requested.

If a telephone interview could assist in the prosecution of this application, please call the undersigned attorney.

Respectfully submitted,

A handwritten signature in cursive script, reading "Patrick O'Shea", is written over a horizontal line.

Patrick J. O'Shea  
Reg. No. 35,305  
O'Shea Getz P.C.  
1500 Main Street, Suite 912  
Springfield, MA 01115  
(413) 731-3100, Ext. 102